

EXHIBIT A



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January 20, 2023

Matthew Eslick
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Re: *Smartmatic USA Corp., et al. v. Lindell, et al.*; Case No. 22-cv-00098

Dear Mr. Eslick:

Following up on our meet-and-confer that took place on January 11, 2023, I write in response to your letter dated January 9, 2023 regarding (1) Plaintiffs' Answers and Objections to Defendant My Pillow, Inc.'s First Set of Interrogatories ("Smartmatic's Interrogatory Answers") and (2) Plaintiffs' Responses to Defendant My Pillow, Inc.'s First Set of Requests for Production of Documents and Things ("Smartmatic's RFP Responses" and, together with Smartmatic's Interrogatory Answers, the "Discovery Responses"). The letter below, together with Smartmatic's Discovery Responses, summarizes Smartmatic's positions regarding the production of potentially relevant documents or information.

Unless explicitly stated otherwise below, Smartmatic maintains its general and specific objections as detailed in its Discovery Responses. Any agreement by Smartmatic to produce documents or information shall be without prejudice to any objections Smartmatic may have as to the relevance or admissibility of any information or document at hearing or trial.

Smartmatic's Interrogatory Answers

As set forth below, the parties discussed Smartmatic's Interrogatory Answers in general and with respect to specific Interrogatories.

Contention Interrogatories. For Interrogatory Answers 2, 6, 7, 8, 9, 11, 12, 14, 15, 17, 18, and 19, Smartmatic will identify specific individuals likely to have discoverable information.

Interrogatory Answer No. 16. Smartmatic explained that the jurisdictions listed in Interrogatory Answer No. 16 each have an election management authority or similar entity with which Smartmatic contracted for its electoral technology or services. Defendants stated that, with this clarification, Smartmatic's Answer to Interrogatory No. 16 is sufficient.

Smartmatic's RFP Responses

The parties also discussed several of Smartmatic's RFP Responses:

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RFP Response Nos. 1, 8, 10. At our meet-and-confer, Defendants did not narrow the scope of their requests or make a counter-proposal to Smartmatic's offer to produce documents in response to RFP Nos. 1, 8, and 10.

RFP Response Nos. 3 and 4. Following up on our meet-and-confer, Smartmatic will agree to produce its communications with Dominion, ES&S, Unisyn Voting Systems, ClearBallot Group, Hart InterCivic, Sequoia Voting Systems, Premier Solutions, Populex, and Vote-PAD from January 1, 2020 to the present, to the extent they exist and can be located by a reasonable search.

RFP Response No. 5. Following up on our meet-and-confer, Smartmatic agrees to produce the case studies referenced in paragraph 32 of its Complaint to the extent they exist and can be located by a reasonable search. Smartmatic will not produce all recommendations because, given their limited probative value, searching for and producing them would be unduly burdensome.

RFP Response No. 7. Following up on our meet-and-confer, Smartmatic agrees to produce any communications between Smartmatic and the Republican National Committee or Democratic National Committee from January 1, 2018 to the present, to the extent they exist and can be located by a reasonable search.

RFP Response No. 17. At our meet-and-confer, Defendants stated that Smartmatic's agreement to produce documents in Response to RFP No. 17 is sufficient.

RFP Response No. 22. Following up on our meet-and-confer, Smartmatic will agree to produce any communications between Smartmatic and Hugo Chavez or Nicolás Maduro, to the extent they exist and can be located by a reasonable search. Additionally, Smartmatic will agree to produce any communications between Smartmatic and members of the Chavez or Maduro administrations or the Venezuelan government regarding the negotiation and formation of contracts between the Venezuelan government and Smartmatic, to the extent they exist and can be located by a reasonable search.

Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP



Julie M. Loftus

JML: